

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

MURPHY MITCHELL, #220979	§	
	§	
v.	§	CIVIL ACTION NO. G-04-659
	§	
DOUG DRETKE, DIRECTOR	§	
OF TDCJ-CID	§	


ORDER

Before the Court is the Report and Recommendation of the United States Magistrate Judge that was entered on June 13, 2005. Petitioner has filed Objections to the Report and Recommendation in a timely manner.

Having given this matter *de novo* review under 28 U.S.C. § 636(b)(1)(C), this Court finds that Petitioner' s Objections are without merit and that the Report and Recommendation should be **ACCEPTED**.

Accordingly, it is **ORDERED** that the Petition for a Writ of Habeas Corpus of Murphy Mitchell (Instrument Nos. 1, 3 and 12) is **DISMISSED WITHOUT PREJUDICE**.

DONE at Galveston, Texas this 21st day of July, 2005.



Samuel B. Kent
United States District Judge